

United States District Court

FILED
CLERKS OFFICE

Joseph P. Schmitt, pro se
Plaintiff,

2006 DEC -6 P 1:32

VS

Carter Thomas, et al.,
Defendants

U.S. DISTRICT COURT
DISTRICT OF MASS.
USDC NO. 05-10571-RWZ

Plaintiff's Motion for Court Order for
Production of Documents In Conjunction with,
"Plaintiff's Response to Defendants Opposition and Motion
to Strike Plaintiff's Emergency Motion for Court
Order Regarding Legal Photocopies"

Now comes the pro se plaintiff in the above-captioned action and moves this Honorable Court for an Order for Production of Documents Against the defendants, Robert Murphy and Department of Corrections.

1. Plaintiff moves that this Honorable Court Order the noted defendants to produce a true copy of the following documents which are maintained in their custody and/or

Accessible by said defendants:

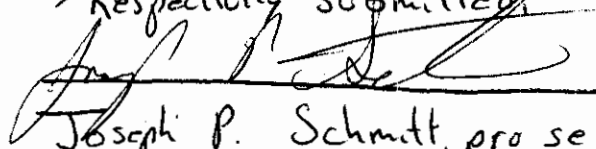
A. Grievances and relevant Grievance Appeals filed by residents of the Nemasket Correctional facility, specifically, Larry Davis; Walter Howard; Joseph Blake; William Stevens; Sandy-Jo Battista; Paul Shedlock; Aron Lyons; and Eugene Rector, regarding the issue of the law library - Learning Center either being opened late, closed early or not open at all to the civil population, for the period from 4/1/06 through 11/1/06.

B. Any and all official and/or unofficial facility records, log book entry, etc., which details the specific times and dates the civil population had movements; the specific dates and time the facility's library and/or learning Center was opened and closed for civil population; and specific times, dates and reasons the facility was on lock down preventing movement of general civil population. Said documents are for the period of 4/1/06 to 11/1/06

2. Plaintiff states that the above requested documentation is required to meaningfully and effectively challenge the defendants erroneous allegations put forth to this Honorable Court in exhibit 1 and 2 of their Opposition and Motion to Strike Plaintiff's Emergency Motion for Court Order Regarding Legal Photocopies.


WHEREFORE, plaintiff respectfully moves for an Order against the defendants to produce the within noted documents so AS All exculpatory evidence may be reviewed by this Honorable Court before A ruling be made on the issues presented by plaintiff and challenged by defendants counsel, regarding plaintiff's October 20, 2006 Emergency Motion for Court Order.

Dated: November 30, 2006

Respectfully submitted,

Joseph P. Schmitt, pro se
Nemasket Correctional Facility
30 Administration Road
Bridgewater, Ma. 02324-3230

Certificate of Service

I, Joseph P. Schmitt, hereby certify that a copy of the above documents have been served upon defendants counsel of record via Inter Department mail on or about November 30, 2006.


Joseph P. Schmitt, pro se

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Bridgewater, MA. 02324